

# **Exhibit A**

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**From:** MCCALLUM, Robert  
**Sent:** Wednesday, December 15, 2021 8:49 PM  
**To:** Zeke DeRose; mevansaziz@wsgr.com; Salah M. Hawkins; Martha Reiser; Kevin Orsini; BRANDON, Eric  
**Cc:** Jason Zweig; Alex J. Brown  
**Subject:** RE: Google MDL: Confidentiality Order-call follow-up [FBD-US-LEGAL.173426.0011.FID258026]

Hi Zeke:

Thanks for your email, and for your time at the meet and confer on Monday. We appreciated the opportunity to start addressing some of the bigger issues on the protective order in more detail.

It seemed to us that there was some disagreement among the Plaintiffs on how to approach the protective order negotiation process, and we appreciate that you likely have a challenge on your hands managing those various different points of view. We understood that some of the private plaintiffs are considering going to Court to seek some kind of supplemental interim protective order while the main negotiation plays out. We don't think that approach would be productive, and it doesn't seem to be consistent with the spirit of Judge Castel's comments at the 9/24 conference about the need for coordination. As I mentioned on the call, I think the better approach would be for us to spend more time talking through the issues in dispute on this draft protective order.

As to the anticipated further edits by Plaintiffs, we would certainly appreciate seeing those. In addition to wordsmithing and clarifying edits, I got the impression from the meet and confer that Plaintiffs would also be adding more substantive provisions to the next draft. It would be helpful to know when you have sign-off from all Plaintiffs as to a consolidated draft, as it doesn't seem reasonable to expect Google to negotiate certain positions while Plaintiffs are still adding new and substantive provisions.

In the meantime, as discussed on Monday's call, we are coordinating with Facebook as requested by Plaintiffs. We will also continue to process Plaintiffs' last round of comments with Google.

Happy to discuss if helpful.

Kind regards,  
Rob

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**From:** Zeke DeRose <Zeke.DeRose@LanierLawFirm.com>  
**Sent:** Monday, December 13, 2021 7:10 PM  
**To:** MCCALLUM, Robert <rob.mccallum@freshfields.com>; mevansaziz@wsgr.com; Salah M. Hawkins <smhawkins@cravath.com>; Martha Reiser <mreiser@cravath.com>; Kevin Orsini <Korsini@cravath.com>  
**Cc:** Jason Zweig <jaz@kellerlenkner.com>; Alex J. Brown <Alex.Brown@LanierLawFirm.com>  
**Subject:** Google MDL: Confidentiality Order-call follow-up

All,

Thank you all for the call today and for walking through the Confidentiality Order and working through common-sense solutions. We appreciate everyone's time and general approach to good-faith discussions/negotiations.

As we referenced on the call, we have a few edits from Texas. We discussed most of Texas' comments on the call (e.g., ensuring AG attorneys have access to documents, over-designation, etc.), however, there are

also some wordsmithing edits done for purposes of clarification, that would be helpful for y'all to look at before you send over your edits.

I think it's fair to say you can continue to work with your clients on the 12/7/21 draft to work through the substantive issues. We are though going to work to get you final sign off by the privates and a draft no later than Thursday.

If I left anyone off the thread that should be on correspondence, please feel free to email with their info, or reply and include them so we don't leave them out going forward.

Please feel free to reach out with any questions.

Zeke  
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